

**CITY OF LAWRENCE
APPROVED ORDINANCE
DOC. 238/2014**

Be it ordained by the City Council of the City of Lawrence that the Revised Ordinances of the City of Lawrence are hereby further amended by:

DELETING the current section 13.08.270 (**Grease, oil, and sand interceptors**), and by **ADDING** the following new **Chapter 8.32 (Fats, Oils, and Grease Regulations)**, to be inserted in proper order:

TITLE 8: HEALTH AND SAFETY

CHAPTER 8.32. FATS, OILS, AND GREASE REGULATIONS

8.32.010 Purposes

The purpose of this chapter is to protect public health and safety and water quality by regulating the discharge of fats, oils, and grease (FOG) from food service establishments into the public sewer system. This chapter establishes standards for managing FOG and maintaining the systems conveying, collecting, and storing FOG waste products. The goals of this chapter are to (1) protect the City's infrastructure from the damaging effects of FOG, and (2) prevent sanitary sewage overflows that subject the City of Lawrence to unsanitary wastewater exposure, which in turn increases the potential of disease transmission and increases the risk of water pollution.

8.32.020 Definitions

Best Management Practices (BMP): activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters. For purposes of this chapter, BMPs for FOG reduction shall be in accordance with Board of Health guidelines.

FOG (Fats, Oils, Grease): organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in the United States Code of Federal Regulations 40 CFR 136, as may be amended from time to time.

Food Service Establishment: includes, but is not limited to, any facility preparing and/or serving food for commercial use or sale. This includes restaurants, cafes, lunch counters, cafeterias, hotels, hospitals, convalescent homes, factory or school kitchens, catering kitchens, bakeries, grocery stores with food preparation and packaging, meat cutting and preparation (excluding grocery stores with only food warming operations), meat packing facilities and other food handling facilities not listed above where fats, oil and grease may be introduced into the community sewer system and cause line blockages and sewer overflows.

Grease: The accumulation of oils (animal or vegetable), fats, cellulose, starch, proteins, wax, lipids, or grease, whether emulsified or not, in the sanitary sewer system. These are substances that may solidify or become viscous at temperatures between thirty-two (32) degrees Fahrenheit and one hundred fifty degrees (150) Fahrenheit. FOG

Grease Trap: means for the purposes of this chapter, an *interior* hydromechanical device which is designed to retain grease from one or more fixtures. These units are typically housed indoor and have a maximum rated flow of 50 gallons per minute (GPM). The units shall be designed and sized in compliance with all current State Building and Plumbing codes. Grease Traps will be the minimum requirement for all FSE's with a license to discharge wastewater.

Grease interceptor (sometimes called separators): means, for purposes of this chapter, an *exterior* multi-compartment device, which relies solely on gravity, and is designed to retain grease from one or more fixtures. Interceptors shall be required for FSE's with a flow greater than 50 GPM, and shall be of a size and design in compliance with all current State Building and Plumbing codes.

Owner: An individual, person, firm, company, association, society, corporation, or group upon whose property the building or structure containing the Food Service Establishment (FSE) is located or will be constructed. "Owner" shall also include the owner of the FSE who may lease the building, structure, or a portion thereof, containing the FSE.

Plumbing Code: The current edition of the Massachusetts Plumbing Code.

POTW: publicly operated treatment works owned by the Greater Lawrence Sanitary District. This definition includes any devices or system used in the collection, storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid or solid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to the POTW treatment plant. For the purposes of this resolution, "POTW" shall also include any sewers that convey wastewater to the POTW from persons outside the City who are, by contract or agreement with the City, or in any other way, users of the POTW.

User: Any person, establishment, or facility, whether inside or outside the City limits, who contributes, causes, or permits the contribution of wastewater into the POTW.

8.32.030 Administration

The Board of Health shall administer, implement, and enforce this chapter. Any powers granted to or duties imposed upon the Board may be delegated by the Board to its employees or any other authorized agent of the Board of Health. For purposes of this chapter, any of the following shall be deemed an authorized agent: the building commissioner, the inspectional services director, the water and sewer commissioner, the plumbing inspector, the food inspector the city engineer, fire or police personnel, and the director of the department of public works.

8.32.040 Regulations

The Board of Health may promulgate rules and regulations to implement the purposes of this chapter.

8.32.050 Prohibitions

No person shall contribute or cause to be contributed, directly or indirectly, any pollutant or wastewater which will pass through the POTW or interfere with the operation or performance of the POTW. A user may not use dilution to achieve compliance and may not contribute the following substances to the POTW:

A. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of 100 milligrams per liter or containing substances which may solidify or become viscous at temperatures between 32 and 150 degrees Fahrenheit and zero and 65 degrees Celsius.

B. Solid or viscous substances in amounts which may cause obstruction to the flow in a sewer or other interference with the operation of the POTW.

C. Any substance which may cause the POTW's effluent or any other product of the POTW such as residuals, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal regulation or permits issued under the Clean Water Act.

Biological and/or chemical treatments are prohibited in grease interceptors in the City of Lawrence unless specifically approved by the Board of Health. It will be the responsibility of the FSE owner to provide adequate supporting documentation for review by the Board of Health.

8.32.060 Basic Requirements

A. All FSEs are required to install a grease trap or interceptor. Grease traps shall be installed at FSEs with flows less than or equal to fifty (50) gallons per minute (GPM). Grease interceptors shall be installed at FSEs with flows exceeding fifty (50) GPM or as determined by the Board of Health or agent therefor, for purposes not inconsistent with this chapter.

B. No more than four fixtures shall be attached to one grease trap as required by the Plumbing Code.

C. The level in the grease trap/interceptor shall be kept below twenty-five (25) percent of the total volume of the unit.

D. All waste oils and collected grease shall be recycled or picked up for disposal by a grease hauler approved by the City of Lawrence.

8.32.070 Installation and Maintenance of Grease Interceptors

A. All grease traps or grease interceptors shall be installed by a Plumbing Contractor licensed by the Commonwealth of Massachusetts and maintained by the user at the user's expense so as to be in continuously effective operation. Maintenance shall include the complete removal of all contents, including floatable materials, wastewater, sludge, and solids. Separation, decanting, or back flushing of the grease trap or interceptor or its wastes is prohibited.

B. All grease traps located within the FSE must be inspected and cleaned by the owner as recommended by the manufacturer, the Plumbing Code, and to the satisfaction of the Board of Health. Routine inspection and maintenance of grease traps may be performed by properly trained employees of the FSE. Such training shall comply with Board of Health guidelines and shall be documented with employee signatures and training dates. However, all traps shall be inspected at least once per year by a qualified professional. The owner shall be responsible for keeping employee training records, maintenance logs, and records of cleaning and inspections for at least three (3) years. Such records shall be available for inspection by the City at the City's request.

C. Grease interceptors must be inspected once per month on a set schedule and must be pumped if the FOG and sludge layers are twenty-five (25) percent of the effective depth of the interceptor or must be pumped every three (3) months, whichever is sooner. Routine inspection of grease interceptors may be performed by properly trained employees of the FSE. Pumping shall be performed only by a licensed hauler approved by the Board of Health. However, all traps shall be inspected at least once per year by a qualified professional. The owner shall be responsible for keeping employee training records, maintenance logs, and records of cleaning and inspections for at least three (3) years. Such records shall be available for inspection by the City at the City's request.

D. FSEs may petition the Board of Health to adjust the maintenance schedule for grease traps or interceptors. The petition must be in writing and include six months of maintenance reports and supporting documentation from a licensed hauler or plumber with a detailed explanation for the adjustment to the cleaning frequency.

Variances may be approved at the discretion of the Board of Health and reviewed on a yearly basis. The Board may specify additional FOG management requirements or implementation of Best Management Practices as a condition of the approval.

E. If an FSE does not comply with proper interceptor maintenance, the Board of Health may require the facility to install a grease interceptor monitoring system at the owner's expense. The data from such monitoring device shall be submitted to the Board of Health on a monthly basis on a schedule determined by the Board of Health.

8.32.080 Inspection and Sampling

The City may conduct mandatory inspections of every FSE connected to the sewer collection system as the City deems necessary, in its discretion.

The City has the right to enter and inspect the facilities of any user to ascertain whether the purposes of this chapter are being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created, discharged or suspected to be discharged, shall allow City personnel ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination, and copying or the performance of any of their duties. The City shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and/or metering operations. Denial of the City's access to the user's premises shall be a violation of this resolution. Unreasonable delays may constitute denial of access.

8.32.090 FOG Permit

A. Application for a FOG Permit shall be filed by the FSE owner at the time of annual application for a food service permit. The FOG Permit application and supporting plans and documentation shall be in accordance with the rules and regulations of the Board of Health. Such documentation shall include, but may not be limited to, identification of Best Management Practices implemented by the FSE or to be instituted by the FSE during the effective period of the permit.

B. As of July 1, 2015, all food service establishments in the City of Lawrence that use, generate, or store FOG will be required to hold a FOG Permit.

C. All temporary food service establishments and events that use, generate, or store FOG shall have a written FOG management plan before the Board of Health will issue a temporary food service permit.

8.32.100 Substandard Grease Interceptors

A. Any FSE without a grease trap or interceptor will be given a compliance deadline not to exceed six (6) months from date of notification to have approved and installed grease traps or interceptors.

B. In the event an existing FSE's grease traps or interceptors are either under-designed or substandard in accordance with this chapter, the owner(s) will be notified in writing of the deficiencies and required improvements, and given a compliance deadline not to exceed six (6) months to conform to the requirements of this standard.

C. The Board of Health or its agent must approve control devices and grease trap or interceptor design prior to installation.

8.32.110 Enforcement

A. The Board of Health or its authorized agent shall enforce this chapter or the regulations thereunder, any orders, violation notices, and enforcement orders, and may pursue any and all civil and criminal remedies for such violations. The procedures for enforcement of this chapter shall be in accordance with Title 20, Section 20.01.130 of the Lawrence Municipal Code.

B. In addition to the provisions of Subsection A above, FSEs committing one of the offenses listed herein shall be assessed the corresponding amounts on a calendar year basis. These fines will be billed no less than quarterly and are payable upon receipt. The fines provided for in this section are not exclusive and do not prohibit the Board of Health from using any other remedy provided by law. Each day, or part thereof, that a violation of this chapter occurs or continues shall constitute a separate offense.

	First Offense	Second Offense	Third Offense and Up
Minor Violation, such as failure to submit records; inspection hindrance (equipment related); failure to maintain on site; failure to pump grease and submit record	\$50	\$100	\$150
Intermediate Violation, such as failure to maintain necessary equipment (T's, grease trap not watertight, baffles, etc.)	\$100	\$250	\$500
Major Violation, such as source of sewer blockage (minimum); source of sanitary sewer overflow (minimum), or falsification of maintenance records	\$500	\$1,000	\$1,500

Attest: William J. Maloney, City Clerk

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ORD NO: 2015-40                - APPR DATE: 3-17-15                -EFF DATE: 3-17-15
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